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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: Aaron T. Jones

DOCKET NO.: 112300-030

APPLICATION NO. 09/680,349

EXAMINER: Corbutt B. Coburn

FILED: October 5, 2000

ART UNIT: 3714

INVENTION: GAMING DEVICE PROVIDING TOUCH ACTIVATED SYMBOL INFORMATION

Commissioner for Patents
Washington, DC 20231

TECHNOLOGY CENTER R3700

RECEIVED

DEC 17 2002

DECLARATION UNDER 37 C.F.R. § 1.132 OF AARON JONES

Sir:

I, Aaron Jones, hereby state as follows:

1. I am currently employed as a Firmware Engineer Supervisor at IGT. My employment at IGT began in June, 1992. I am familiar with wagering gaming machines, the gaming machine industry, and the history of gaming machines.

2. I have reviewed the outstanding Office Action dated July 11, 2002 pending in the above-identified application. I submit this declaration in response to the Examiner's obviousness rejection under 35 U.S.C. §103(a) of Claims 1 to 15 of the above-identified application.

3. Early mechanical slot machines included a small number of symbols on the reels. For example, the Fey 1899 LIBERTY BELL slot machine included three mechanical reels and six symbols on the reels. A copy of a picture of the Fey 1899 LIBERTY BELL slot machine is attached hereto as Exhibit A.

4. Such early mechanical slot machines included a payable displayed on the face of the machine such as the payable displayed on the front side or face of the Fey 1899 LIBERTY BELL slot machine shown in Exhibit A. These paytables were

simple because the Fey 1899 mechanical slot machine had a small number of symbols and a very small number of winning combinations of the symbols.

5. A player could easily and quickly look at the payable on such early mechanical slot machines to determine: (a) the total overall number of winning combinations; (b) all of the winning combinations for each of or associated with each of the symbols; (c) all of the winning amounts associated with each of the winning combinations; and (d) all of the winning amounts associated with winning combinations for each of the symbols.

6. As the slot machine industry progressed, more symbols were added to the reels of mechanical slot machines. For example, the Fey 1929 SILVER DOLLAR slot machine included a greater number of symbols and a greater number of winning combinations of symbols than the Fey 1899 LIBERTY BELL slot machine. A copy of a picture of the Fey 1929 SILVER DOLLAR slot machine is attached hereto as Exhibit B.

7. Although the Fey 1929 SILVER DOLLAR slot machine had a greater number of symbols, the number of symbols was still relatively small and the payable was still relatively simple and capable of being displayed on the front or face of the slot machine as illustrated in Exhibit B.

8. Paytables were mounted, attached or displayed on the front or face of early mechanical slot machines in a variety of different manners. Examples of different paytables on early mechanical slot machines are attached hereto as Exhibit C.

9. For many years, mechanical slot machines had seven to twenty-five physical stops or paystops per reel to accommodate the symbols. This included the stops for the symbols and for the blank positions between symbols on the reels.

10. Paytables on mechanical slot machines continued to be displayed on the front of mechanical slot machines in various forms throughout the development of the mechanical slot machine industry and continue today to be displayed on the front or face of mechanical slot machines. These paytables are often displayed on a glass panel mounted in the cabinet of the slot machine adjacent to the mechanical reels (i.e., above, below and/or to the side or sides of the mechanical reels). Examples of such paytables are attached hereto as Exhibit D.

11. Gaming device manufacturers have increased the number of symbols and the number of symbol positions or paystops in mechanical slot machines over the years, in part, to increase player enjoyment, entertainment and excitement.

12. Increasing the number of symbols generally increases the variety of winning combinations and provides more opportunities for a player to win which also increases player enjoyment, entertainment and excitement.

13. Increasing the number of paystops allows for this increase in the number of different symbols on a slot machine and also allows an increase in the number of times a particular symbol can appear (i.e., the same symbol at more than one paystop on a reel). Increasing the number of times that a symbol can appear on the reels increases its likelihood of appearance, thus increasing the chance of occurrence of a winning combination including that symbol. This is one way which

enables gaming device manufacturers to have different payouts for different winning combinations (i.e., higher payouts for combinations less likely to occur on the reels).

14. More symbols and more varieties in winning combinations also enable gaming device manufacturers to have a larger range of payouts for winning combinations including larger maximum payouts. Larger payouts also tend to provide additional player enjoyment, entertainment and excitement.

15. One way slot machine manufacturers have increased the number of paystops is by increasing the size of the mechanical reels to physically accommodate more paystops. For instance, modern mechanical slot machines have approximately twenty to twenty-five physical paystops per reel typically including eleven symbols and eleven blanks. An exaggerated example of this is the Bally BIG BARNEY slot machine. A 1987 copy of a picture of the Bally BIG BARNEY slot machine is attached hereto as Exhibit E. Increasing the size of the reels is obviously limited because gaming establishments desire limited size machines and would not accept a room filled of Bally BIG BARNEY slot machines.

16. A larger number of symbols and a larger number of winning combinations makes the payable more complicated because the payable includes: (a) the winning combinations for each of or associated with each of the symbols; and (b) the winning amounts associated with each of the winning combinations (which includes the winning amounts associated with winning combinations for each of the symbols).

17. Another way slot machine manufacturers have increased the overall number of paystops in mechanical slot machines has been to provide additional reels or more than the traditional three reels. An example is the Bally 1969 CONTINENTAL 4

reel slot machine. A copy of a picture of the Bally 1969 CONTINENTAL 4 reel slot machine is attached hereto as Exhibit F. This slot machine includes a fairly complicated payable that takes up about half of the front or face of the cabinet.

18. Modern mechanical slot machines generally employ three to five mechanical reel. Each additional reel results in a greater number of possible combinations and a more complicated payable which must be viewable by the player.

19. Early video slot machines employed television screens. For example, the 1975 Fortune Coin slot machine employed a television screen as illustrated in the copy of the photograph attached as Exhibit G. This video slot machine employed three video reels and included a payable displayed on the front of the cabinet (including a part of the payable to the right of the television screen and a part of the table above the television screen).

20. Similar to the mechanical slot machines, over the last twenty-seven years (i.e., since the introduction of the 1975 Fortune Coin slot machine), video slot machines have undergone substantial development and commercialization.

21. While video slot machines can have any suitable readable number of reels, modern video slot machines generally employ from three to five video reels.

22. While video slot machine reels have no physical limit to the number of paystops per reel, modern video slot machines generally have from fifteen to one-hundred paystops on each of the video reels.

23. While video slot machines can employ any number of symbols, modern video slot machines generally have from six symbols to seventeen symbols.

24. Accordingly, commercially available modern video slot machines generally

include anywhere from six winning symbol combinations (i.e., three-reel five symbol per reel slot machines) to eighty winning symbol combinations (i.e., five-reel seventeen symbol per reel slot machines).

25. Similar to the mechanical slot machines, increasing the number of symbols and reels in video slot machines increases the complexity of the paytable for the video slot machines because the paytable must according to regulation include: (a) the winning combinations for each of or associated with each of the symbols; and (b) the winning amounts associated with each of the winning combinations (which includes the winning amounts associated with winning combinations for each of the symbols).

26. Paytables are further complicated by a variety of other factors. For instance, original mechanical slot machines originally had only one payline. As mechanical slot machines developed, the number of paylines increased. Many modern mechanical slot machines include one to three paylines. Similarly, video slot machines can include any suitable number of paylines and often include nine to fifteen paylines. Such multiple paylines can make paytables more complicated because winning symbol combinations can extend from left to right, right to left, or in any position on a payline.

27. Paytables are also further complicated by symbols with special functions such as: (a) a symbol which substitutes for another symbol (i.e., a wild symbol); (b) a symbol which causes the modification such as multiplication of a win or award; and (c) a symbol or symbol combination which triggers a secondary or bonus event or game. Numerous types of different bonus games are presently employed in video slot machines. The bonus games further complicate the paytables, especially when multiple different bonus games are employed in a single video slot machine.

28. In complex video slot machines such as video slot machines with five reels, seventeen symbols, and twenty-five paylines which have a large number of winning or paying combinations (including different paying combinations for each symbol), it is not physically possible to clearly and readably display all of the winning or paying combinations which make up the paytable for the video slot machine on the front or front face of the video slot machine.

29. Accordingly, paytables on video slot machines are often made available to the player through player assistance or help screens. In such machines, when a player wants to see the paytable, the player (usually through an input device such as a touch screen) activates the "Paytable," "See Pays," "Information" or "Help" input. Upon receipt of such an input signal from the input device, the processor of the video slot machine accesses the memory device to retrieve the paytable and causes the display device to display the paytable.

30. The display of the paytable is also limited due to the size of the display device (such as a video monitor) of the video slot machine.

31. Paytables in video slot machines are thus displayed by the display devices in portions or sections in multiple display screens. This requires the player to scroll through these display screens to see the portion of the paytable associated with a particular symbol including the winning combination having that symbol and the winning amanitas associated with those combinations. A printout of an IGT video slot machine paytable having multiple display screens is attached as Exhibit H.

32. The example in Exhibit H shows that: (i) the first screen of the paytable indicates information regarding the various features of the gaming machine; (ii) the

second screen indicates the different winning symbol combinations and awards associated with those winning combinations for each of four of the symbols of the gaming machine; (iii) the third screen indicates the winning combinations of one of the symbols in a scatter pay mode and the awards associated with those winning combinations; (iv) the fourth screen indicates the winning combinations of symbols that initiate the Black Gold Bonus game and the possible awards associated with the initiation of the bonus game with different winning combinations; (v) the fifth screen indicates the winning combinations of symbols which initiate the Free Spin Rally Bonus retrigger and the possible awards associated with the initiation of the bonus with different winning combinations; (vi) the sixth screen indicates the combination of symbols on the 15th line necessary for obtaining the progressive award; (vii) the seventh screen indicates the different winning symbol combinations and awards associated with those winning combinations for each of four additional symbols of the gaming machine; and (viii) the eighth screen indicates the different winning symbol combinations and awards associated with those winning combinations for each of two additional symbols of the gaming machine and further indicates wild symbols substitutions.

33. A printout of another video slot machine payable having multiple display screens is attached as Exhibit I. This is the payable for IGT's Addams Family Cousin-It gaming machine. The example in Exhibit I shows that: (i) the first screen indicates various options for the player using the inputs of the gaming machine; (ii) the second screen indicates further various options for the player using the inputs of the gaming device; (iii) the second screen indicates further various options for the player using the inputs of the gaming machine; (iv) the fourth screen indicates the winning combinations

of symbols and awards associated with those combinations for four different symbols in the gaming machine; (v) the fifth screen indicates the combinations of symbols which provide scatter pays and the awards associated with those combinations of symbols; (vi) the sixth screen indicates the winning combinations and awards associated with four additional symbols of the gaming device; (vii) the seventh screen indicates the winning combinations and awards associated with those combinations for two additional symbols and the wild symbol substitution information; (viii) the eighth screen indicates further scatter pay winning combinations and the awards associated with those winning combinations; (ix) the ninth screen indicates the combination on the ninth payline necessary to win the progressive award; (x) the tenth screen indicates the winning combination of symbols associated with a maximum wager on any payline; (xi) the eleventh screen indicates the winning combinations and the awards associated with those combinations for four additional symbols; (xii) the twelfth screen indicate the winning combinations and awards associated with those winning combinations and the awards associated with those combinations for four more symbols; and (xiii) the thirteenth screen indicates displays the winning symbol combinations and the awards associated with those combinations for two more symbols and an explanation of a wild symbol substitution.

34. From these examples, it can be seen that the player must scroll through all of display screens of entire payable to see the overall number of winning combinations.

35. The player must scroll through a portion or all of the payable to see the winning combinations for a particular symbol and the winning amounts associated with each of the winning combinations associated with that symbol.

36. The player may quickly do this and may miss the appropriate display screen for the relevant symbol which will cause additional scrolling time.

37. The time a player spends scrolling through the display screens may reduce the amount of time the player spends playing the video slot machine and may make playing the video slot machine frustrating which takes away from the enjoyment and entertainment provided by the video slot machine.

38. Players in general, wish to play the game and not spend extra time reading parts of paytables or instructions which do not interest them.

39. Moreover, in complex video slot machines with multiple paylines, it is often difficult for the player to determine the winning combination(s) of symbols which provide the wins or awards to the player. Players want to know why they won and how much certain combinations pay. In such video slot machines, the player can only start scrolling through the payable. Prior to my invention, there was no way for a player to individually select a symbol which was part of a winning combination of symbols to immediately see the winning combinations associated with that symbol and the award amounts for those combinations.

40. The present invention provides the information that the player wants rather than requiring a player to scroll through pages of information. More particularly, the present invention allows the player to select a symbol and immediately see the winning combination(s) associated with the symbol and the awards associated with those

combinations.

41. Accordingly, from 1975 when video slot machines were first introduced until the present invention a need existed in the slot machine industry to simplify the display of complicated paytables, and particularly payable information concerning specific symbols displayed on the reels.

42. Thus, this need for simplification and convenience existed for over twenty-five years.

43. To my knowledge, no gaming device manufacturers offered video slot machines during the time period discussed above that featured the ability to simply and conveniently select payable information concerning one of the symbols of video slot machines by selecting that symbol.

44. To my knowledge, no gaming device existed prior to the present invention that included selection of a symbol displayed on a displayed reel and display of payable information concerning the selected symbol as featured in the claims of the present application.

45. Accordingly, I believe there was a long-felt but unmet need for the present invention.

46. Sigma Game Inc. of Las Vegas, Nevada (hereinafter "Sigma") is a competitor of IGT in the gaming device market.

47. To my knowledge, Sigma introduced a feature on certain video slot machines entitled "Smart Touch™." This feature provides players the ability to select symbols on the video slot machines by touching the touch screen in the area of the symbol to view the portion of the paytable associated with the symbol including the

winning symbol combinations and the awards associated with these combinations. In support of this statement, a copy of promotional information from Sigma's website explaining this feature is attached hereto as Exhibit J.

48. To the best of my knowledge, IGT worked with a co-developer on a gaming machine, in which the co-developer knew that IGT was considering including the present invention. The present invention was not included in that gaming machine. To the best of my knowledge, the co-developer subsequently worked with Sigma on gaming device development.

49. To the best of my knowledge, the "Smart Touch™" feature was introduced in the marketplace by Sigma in October 2001. This knowledge is based on an intent to use federal trademark application filed by Sigma on October 5, 2001 on SMART TOUCH. A copy of the report on the status of this trademark is attached as Exhibit H. This knowledge is also based, in part, on an attached article from the March 10, 2002 edition of the Chicago Sun Times newspaper attached hereto as Exhibit L. This article specifically states that the Smart Touch™ is not "a game, but a system that can be used with many games to eliminate confusion. Players who are confused by the zig-zag paylines, scatter pays and special features of video slots will love Smart Touch. Just touch any symbol or icon on the screen, and up pops an explanation. If you're confused about the shape of payline, No. 9, touch the icon for that payline and it'll be traced out, separate from the others. Or, if you want to know the payoffs on any symbol, touch that symbol and you'll get a graphic on the screen. This moves slot machines in a direction they need to go. Expect other manufacturers to follow."

50. Sigma again showed the Smart Touch feature at a September 2002

industry tradeshow. Sigma is employing one or more features of the presently claimed invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.



Executed this 10th day of December 2002.



A handwritten signature of "Aaron Jones" over a solid horizontal line.

Aaron Jones

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